Alberta
ENVIRONMENT

ENFORCEMENT OF THE

ENVIRONMENTAL PROTECTION AND ENHANCEMENT ACT

And

WATER ACT

1 Jan 2006 - 31 Mar 2006

April 2006
Regional Services
Alberta Environment

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Enforcement Actions

1 Jan 2006 - 31 Mar 2006

Company/Individual	Municipality / LLD	Decision Date/ Penalty	Act/ Regulation	Comments / Disposition
Administrative Penalties				
Clauson-Cold and Cooler Ltd.	Calgary Plan 7410729, Block 5, Lot 1	11-Jan-06 Assessed: $2,500.00	AEPEA(R) 110(2)	The Company operates an ammonia-based refrigeration system. It failed to immediately report the release into the environment of a substance that may cause, is causing or has caused an adverse effect. Paid 27 February 2006.
Toromont Industries Ltd./Industries Toromont Ltee.	Calgary Plan 7410729, Block 5, Lot 1	11-Jan-06 Assessed: $7,000.00	AEPEA(R) 180 110(1)(a)	The Company designs and fabricates industrial refrigeration systems and specializes in ammonia-based applications. The Company disposed of waste, ammonia-laden wastewater, into the storm drainage infrastructure owned and administered by the City of Calgary; and failed to immediately report the release of a substance, ammonia, into the environment that may cause, is causing or has caused an adverse effect. Paid 9 February 2006.
Enterprises Macay Inc.	Northern Sunrise County SE-20-83-20-W5	03-Feb-06 Assessed: $2,500.00	AEPEA(R) 227(e)	The Company is the owner and operator of an alfalfa drying facility. It failed to operate the facility such that the waste material collected at the facility is disposed of in a manner as to prevent entrainment into the ambient air, for failure to collect the waste material (hay dust and debris) and prevent fugitive dust emissions from the facility. Paid 7 March 2006.
Shiningbank Energy Ltd.	Woodlands County 26-59-11-W5	10-Feb-06 Assessed: $3,500.00	AEPEA(R) 227(e)	The Company operates the Whitecourt sour gas plant pursuant to an Approval. It contravened its Approval by submitting the 2003 Annual Industrial Wastewater and Runoff Report late; and submitting the Second Soil Monitoring Program Report late. Paid 20 March 2006.
580218 Alberta Ltd. operating under the trade name of Tansley Associates Environmental Sciences	MD of Bonnyville 10-61-7-W4	28-Feb-06 Assessed: $5,000.00	WA 142(1)(n)	The Company commenced and continued to divert water from Moose Lake, without a licence. Paid 10 March 2006.
Univar Canada Ltd.	Edmonton Plan 9523515, Block 9, Lot 3A	28-Feb-06 Assessed: $5,500.00	AEPEA(R) 191 176	The Company operates a chemical storage and blending facility pursuant to an Approval. It disposed of hazardous waste at a waste management facility, being the disposal of liquid hazardous waste at a Class II Waste Management Facility, without proper authorization; and the consignment of a liquid hazardous waste without the appropriate manifest. Paid 3 April 2006.

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Administrative Penalties				
Masters Energy Inc.	County of Forty Mile 5-10-11-W4	01-Mar-06 Assessed: $4,500.00	AEPEA(R) 227(e)	The Company operates the Bow Island sour gas plant pursuant to an Approval. It contravened its Approval by implementing a Decommissioning plan that was not authorized in writing by Alberta Environment, being the dismantling of the Bow Island Sour Gas Processing Plant; and failing to immediately report by telephone a contravention of a condition of the Approval, being the failure to immediately report the implementation of an unauthorized decommissioning plan. Paid 24 March 2006.
Blue Grass Sod Farms Ltd.	Red Deer County SW-25-38-28-W4	03-Mar-06 Assessed: $4,000.00	WA 142(1)(h) 142(1)(e) 36(1)	The Company is a landscaping supply company, which holds a licence for the diversion of water from Cameo Lake. It commenced an activity, the excavation of a sump, without an approval; and submitted the 2005 Annual Water Use Return late. Paid 4 April 2006.
Meeks, Tedd Scott operating as On Target	Lethbridge Plan 731624, Block 2, Lot 35	08-Mar-06 Assessed: $1,000.00	AEPEA(R) 112	On Target is a pesticide application company that is owned and operated by Tedd Scott Meeks. Mr. Meeks failed to take all reasonable remedial measures to confine the effects of the substance, and to remove and dispose of the substance to effect maximum protection to the environment. Paid 6 April 2006.
Daylight Lease Maintenance Inc.	County of Grande Prairie 25-73-7-W6	29-Mar-06 Assessed: $7,500.00	AEPEA(R) 43/97 7(1) 24/97 5(1)	The Company applied imazapyr (Arsenal), a pesticide for total vegetation control at a wellsite. It provided for hire or reward, pesticide application services without being the holder of a pesticide service registration; and applied the pesticide imazapyr (Arsenal) in a manner contrary to the label, by applying the pesticide in a concentration in excess of that specified in the label direction, that did cause an adverse effect to land adjacent to the application site. Paid 20 April 2006.
Getz Rid Pest Control Ltd.	Edmonton Plan 3800KS, Block 1, Lot F	29-Mar-06 Assessed: $500.00	AEPEA(R) 163(1)	The Company applied a pesticide in a manner not permitted by the label for that product, being the application of Wilson 10-1 Food Processors Spray, directly to a food product. Paid 12 April 2006.
Steep Rock Construction Materials Ltd.	Cypress County NE-34-11-5-W4	30-Mar-06 Assessed: $5,000.00	AEPEA(R) 227(e)	The Company operates a sand and gravel pit pursuant to an Approval. It contravened its Approval with the unauthorized release of wash water from Pond

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Administrative Penalties				
			110	#1 to the environment; the unauthorized release of wash water from Pond #2 to the environment; and failure by the person who released, caused or permitted the release of wash water from Pond #2 into the environment that may cause an adverse effect, to report the release to Alberta Environment as soon as the Company knew or ought to have known of the release. Paid 7 April 2006.

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Sommerstad, Wayne	MD of Foothills NW-1-20-2-W5	24-Jan-06	WA 36(1)	Mr. Sommerstad is the registered owner of lands where a man-made earthen within a water body is located. Water was being released from the culvert to downstream, and was flooding and causing adverse impacts to the neighbouring lands. Despite requests from Alberta Environment (AENV) to render the works ineffective and prevent flooding and damage to downstream properties, Mr. Sommerstad has refused to do so. AENV has not issued an approval to Mr. Sommerstad for the works and remedial activities are required to remove the works and restore the natural drainage pattern in the water body. Mr. Sommerstad shall immediately control the flow of water through the culvert, or over the top of the works, such that no adverse effects will be created from any such flows to the downstream lands, maintain a minimum of 1 metre of freeboard between the level of water in the works and the steel culvert spillway, submit and implement a Remedial Plan, and submit a final report. Notice of Appeal received by the Environmental Appeal Board 1 February 2006.

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Environmental Protection Orders				
Consolidated Petroquin Resources Ltd.	Strathcona County SE-34-54-22-W4	16-Mar-06	AEPEA(R) 140 113	The Company was licenced or otherwise authorized by the Alberta Energy and Utilities Board ["EUB"] to operate a well. The EUB issued an Abandonment Order and the surface access was terminated by the Surface Rights Board. Alberta Environment ["AENV"] has not issued a reclamation certificate and is of the opinion that work is necessary in order to conserve and reclaim the site. AENV is of the opinion that a release of one or more substances into the environment may occur, is occurring or has occurred that may cause, is causing or has caused an adverse effect on the environment. The Company shall submit and implement an Investigative Plan; submit and implement a Remedial Plan; submit and implement a Reclamation Plan; and apply for a reclamation certificate once it has met the Criteria.
LaPrairie Group Contractors (Alberta) Ltd.	MD of Northern Lights NW-23-101-23-W5	29-Mar-06	AEPEA(R) 113	The Company is the occupant of lands that contain a salt storage shed that stores road salt used by the Company in their duties as a local road maintenance contractor. The runoff of salt-contaminated water from the site was entering a dugout on property immediately west of the site. The Company has since that time provided Alberta Environment ["AENV"] with assurances that the runoff of the substances from the site would be contained. The Company provided AENV with plans to deal with the runoff of the substances, but the plans have not been implemented to the satisfaction of AENV, and substances are continuing to runoff the site and onto the adjacent property and the dugout. AENV is of the opinion that a release of a substance or substances has occurred, and that the substances have caused, are causing or may cause an adverse effect on the environment. The Company shall immediately take all necessary steps to prevent any further runoff of the substances from the site; provide and implement an Investigation Plan; provide and implement a Remediation Plan; submit a final written report upon completion of the required work.

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Prosecutions				
EnCana Corporation		04-Jan-06 Penalty: $249,402.00	AEPEA(R) 227(e)	Count 1: Co-accused "Arisman, Thomas George" On or between the 5th day of February, 2003, and the 22nd day of April, 2003 at or near Fort McMurray in the Province of Alberta did contravene a term or condition of an approval, to wit: Section 2.1.1. of Approval No. 48522-00-00 which was issued to an amalgamation predecessor PanCanadian Petroleum Limited on August 11, 2000, which provides as follows: The approval holder shall immediately report by telephone any contravention of the terms and conditions of this approval to the Director of Enforcement and Monitoring at 1-780-422-4505.and did thereby commit an offence contrary to Section 227(e) of the Environmental Protection & Enhancement Act. The Company pled guilty 4 January 2006 and was sentenced to a penalty of $249,402.00. The penalty consists of a $10,000 fine, a creative sentencing order in the amount of $200,000 to be used for implementing community based Environmental Technician training through Keyano College, and a creative sentencing order in the amount of $39,402.00 for the purpose of developing an entry level DVD training material for water and wastewater technicians through the Alberta Water and Wastewater Operators Association.
Lyckman, Larry	Carmangay	07-Feb-06	AEPEA(R) 227(a)	Count 1: On or between the 22nd day of January 2004 and the 17th of February 2004, at or near Carmangay, in the Province of Alberta, did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information and did thereby commit an offence contrary to Section 227(a) of the Environmental Protection and Enhancement Act. Pled guilty on 7 February 2006 and was sentenced to a three month conditional sentence with 1 year probation.
Martens, Jacob	Innisfail	10-Feb-06 Penalty: $60,000.00	AEPEA(R) 227(a)	Count 7: Co-accused "Martens, Sheldon and Martens, Sheldon" On or about the 14th day of January 2003, at or near Clairmont in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, contrary to section 227(a) of the Environmental Protection and Enhancement Act. Pled guilty 10 February 2006, and was sentenced to a fine of $60,000.00. In addition, a creative sentencing order was issued precluding Mr.

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Prosecutions				
				Martens from any directorship, corporate office, or ownership in a corporation, and personal involvement in a waste storage or dangerous goods storage facility, with permissive recognition therein of a coil tubing cleaning function that did not involve storage other than mobile vehicular storage in small volumes for a period of three years.
Martens, Sheldon	Innisfail	10-Feb-06 Penalty: $7,500.00	AEPEA(R) 227(a)	Count 8: Co-accused "R D Flush Systems Ltd. and Martens, Jacob" On or about the 14th day of January, 2003, at or near Clairmont in the Province of Alberta did provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, contrary to section 227(a) of the Environmental Protection and Enhancement Act. Pled guilty 10 February 2006, and sentenced to a fine of $7,500.00.
Martens, Jacob	Innisfail	10-Feb-06 Penalty: $10,000.00	AEPEA(R) 60	Count 9: Co-accused "R D Flush Systems Ltd. and Martens, Sheldon" On or about the 6th day of June 2002 at or near Red Deer, in the Province of Alberta did knowingly commence or continue an activity, to wit: the operation of a facility where hazardous waste is stored and some or all of the hazardous waste is produced by a person other than the owner of the facility, that is designated by the regulations as requiring an approval without being the holder of the required approval, contrary to section 60 of the Environmental Protection and Enhancement Act. Pled guilty 10 February 2006, and sentenced to a fine of $10,000.00.
R D Flush Systems Ltd.	Innisfail	10-Feb-06 Penalty: $10,000.00	AEPEA(R) 227(a)	Count 7: Co-accused "Martens, Sheldon and Martens, Jacob" On or about the 14th day of January 2003, at or near Clairmont in the Province of Alberta did knowingly provide false or misleading information pursuant to a requirement under the Environmental Protection and Enhancement Act to provide information, contrary to section 227(a) of the Environmental Protection and Enhancement Act. Pled guilty 10 February 2006 and sentenced to fine of $10,000.00.

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Prosecutions				
R D Flush Systems Ltd.	Innisfail	10-Feb-06 Penalty: $10,000.00	AEPEA(R) 60	Count 9: Co-accused "Martens, Sheldon and Martens, Jacob" On or about the 6th day of June 2002 at or near Red Deer, in the Province of Alberta did knowingly commence or continue an activity, to wit: the operation of a facility where hazardous waste is stored and some or all of the hazardous waste is produced by a person other than the owner of the facility, that is designated by the regulations as requiring an approval without being the holder of the required approval, contrary to section 60 of the Environmental Protection and Enhancement Act. Pled guilty 10 February 2006 and sentenced to a fine of $10,000.00.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 98(2)	Count 1: On or between the 3rd day of August and the 8th day of August, 2001, at or near Edmonton, in the Province of Alberta, did unlawfully release or permit the release into the environment of a substance in an amount, concentration or level or at a rate of release that causes or may cause a significant adverse effect, contrary to section 98(2) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(1)	Count 2: On or between the 3rd day of August, 2001 and the 9th day of August, 2001 at or near Edmonton, in the Province of Alberta, being a person who releases or causes or permits the release of a substance into the environment that has caused, is causing, or may cause an adverse effect, did fail, as soon as that person knows or ought to know of the release, report it to the Director, contrary to section 99(1) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(2)	Count 3: On or between the 3rd day of August, 2001 and the 9th day of August, 2001 at or near Edmonton in the Province of Alberta, being a person having control of a substance that is released into the environment that has caused, is causing, or may cause an adverse effect, did fail, immediately on becoming aware of the release, report it to the Director, contrary to section 99(2) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.

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Prosecutions				
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(1)	Count 4: On or between the 4th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton, in the Province of Alberta, being a person who releases or causes or permits the release of a substance into the environment that has caused, is causing, or may cause an adverse effect, did fail, as soon as that person knows or ought to know of the release, report it to the Director, contrary to section 99(1) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(2)	Count 5: On or between the 4th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton in the Province of Alberta, being a person having control of a substance that is released into the environment that has caused, is causing, or may cause an adverse effect, did fail, immediately on becoming aware of the release, report it to the Director, contrary to section 99(2) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(1)	Count 6: On or between the 5th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton, in the Province of Alberta, being a person who releases or causes or permits the release of a substance into the environment that has caused, is causing, or may cause an adverse effect, did fail, as soon as that person knows or ought to know of the release, report it to the Director, contrary to section 99(1) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(2)	Count 7: On or between the 5th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton, in the Province of Alberta, being a person having control of a substance that is released into the environment that has caused, is causing, or may cause an adverse effect, did fail, immediately on becoming aware of the release, report it to the Director, contrary to section 99(2) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.

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Prosecutions				
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(1)	Count 8: On or between the 8th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton, in the Province of Alberta, being a person who releases or causes or permits the release of a substance into the environment that has caused, is causing, or may cause an adverse effect, did fail, as soon as that person knows or ought to know of the release, to report it to the Director, contrary to section 99(1) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.
Edmonton, The City of	Edmonton Plan 2191EO, Block OT	17-Feb-06	AEPEA 99(2)	Count 9: On or between the 8th day of August, 2001 and the 10th day of August, 2001 at or near Edmonton in the Province of Alberta, being a person having control of a substance that is released into the environment that has caused, is causing, or may cause an adverse effect, did fail, immediately on becoming aware of the release, report it to the Director, contrary to section 99(2) of the Environmental Protection and Enhancement Act. Found not guilty 17 February 2006.

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Tickets				
Ram Cattle Feeders Ltd.		06-Jan-06 Penalty: $115.00	AEPEA(R) 182	Disposal of waste, cattle pen runoff effluent, on another persons land without agreement. Paid 6 January 2006.

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Warning Letters				
AltaGas Ltd.	MD of MacKenzie 24-110-8-W6	04-Jan-06	AEPEA(R) 227(e)	The Company operates the Rainbow Lake sour gas processing plant pursuant to an Approval. It contravened its Approval by submitting the continuous ambient monitoring information relating to sulphur dioxide concentration, hydrogen sulphide concentrations, wind speed, and wind direction for the January 2004 and February 2004 monthly air emission summary reports late.
Cynes Energy Inc.	MD of Greenview 28-64-6-W6	04-Jan-06	AEPEA(R) 61	The Company operated the Bilbo sour gas processing plant without being the holder of the required approval.
Foothills Forest Products Inc.	MD of Greenview 9-57-6-W6 10-57-6-W6	04-Jan-06	AEPEA(R) 227(e)	The Company operates the Grande Cache wood processing (sawmill) plant pursuant to an Approval. It contravened its Approval by submitting the 2004 Annual Summary and Evaluation Report late; submitting the 2004 Annual Industrial Wastewater Report late; submitting the 2004 Annual Waste Management Report late; submitting the 2004 Annual Domestic Wastewater Report late; and failing to immediately report by telephone the contraventions of these terms and conditions of the Approval.
Hutterian Brethren Church Of Rosebud	Wheatland County NE-30-27-22-W4	11-Jan-06	AEPEA(R) 24/97 5(1)(a)	The Hutterian Brethren Church of Rosebud oversprayed Vantage Plus herbicide that caused vegetation damage on a neighbouring property.
Canadian Superior Energy Inc.	Starland County NE-7-30-18-W4	02-Feb-06	WA 49(1)(a)	The Company diverted water without a licence.
Synterra Technologies Ltd.	Mountain View County NW-14-34-4-W5	02-Feb-06	WA 49(1)(a)	The Company diverted water from a waterbody, locally known as Eagle Creek, without a licence.
Wellsite Environmental Inc.	Starland County NE-7-30-18-W4	02-Feb-06	WA 49(1)(a)	The Company diverted water without a licence.

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Warning Letters				
Green Acres (Pine Lake) Ltd.	Red Deer County SW-14-36-25-W4	06-Feb-06	AEPEA(R) 176	The Company disposed of treated wastewater on private land without proper authorization.
Kralik, Randolph and Kralik, Rudolph	Wheatland County SE-14-24-26-W4	21-Feb-06	AEPEA(R) 61	Mr. Kralik burned bags of pesticide treated canola seed without an approval.
Ainsworth Lumber Co. Ltd.	MD of Greenview 6-70-5-W6	15-Mar-06	AEPEA(R) 227(e)	The Company operates the Grande Prairie wood processing plant pursuant to an Approval. It contravened its Approval with the unauthorized overflow release of a log yard runoff to a retention pond not identified in the approval; unauthorized pumping release of log yard runoff to a retention pond not identified in the approval; and unauthorized overflow release of log yard runoff to an area not permitted in the approval.
Sharp Environmental (2000) Ltd.	Birch Hills County 31-78-2-W6	15-Mar-06	AEPEA(R) 137(1)(b)	The Company failed to reclaim specified land in accordance with the Reclamation Criteria For Wellsites and Associated Facilities (1995). In particular, it failed to reclaim specified land by not reseeding re-contoured lease areas prior to submitting an application for a reclamation certificate; a fence being left in place without a landowner release; and landscape reclamation criteria, when subsidence was noted in the area of the previous sump.
Falher Alfalfa Ltd	MD of Smoky River SE-9-78-21-W5	17-Mar-06	AEPEA(R) 227(e)	The Company operates the Falher forage drying facility pursuant to an Approval. It contravened its Approval by operating a wood burner that was not an emission source permitted under the Approval.
Rocky View No. 44, Municipal District of	Wheatland County 33-23-26-W4	28-Mar-06	WA 36(1)	The Municipal District constructed the Weed Lake Drain Rehabilitation Project water drainage construction in a waterbody without an approval.

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Water Management Orders

No Activity